

PLANNING & HERITAGE STATEMENT

NOVEMBER 2025

BARN COURT
HIGH STREET
OLD BURSELDON
SO31 8DL

1	Introduction	3
2	Site Description	3
3	Heritage & Conservation	4
4	Planning History	4
5	Previous Application	5
6	Proposed Development	7
7	Conclusion	7

1. INTRODUCTION

- 1.1. Applecore PDM have been instructed to resubmit an application for planning permission to Eastleigh Borough Council (the LPA) for the *“Conversion of existing detached garden store to an annexe ancillary to the host dwelling.”*
- 1.2. The application follows an appeal against non-determination that was dismissed on an environmental technicality. However, the Inspector did not agree with the LPA/committee resolution that the application should have been refused on the basis that it was “tantamount” to residential development, therefore it is considered that the part retrospective development should be considered acceptable in planning terms.
- 1.3. The concerns raised by the Inspector are not considered to be clear, and later engagement with the LPA have not resulted in an agreed resolution to this matter.
 - 1.3.1. The agent has engaged directly with Natural England on this matter, which will be discussed later in this document.

2. SITE DESCRIPTION

- 2.1. The application site is a prominent building set back from the High Street and flanked by an array of dwellings – The Long Cottage, The Grange, Lattice Cottage, and Grange Cottage.
- 2.2. The property is fronted by a large, grand courtyard, with the main building dominant to the adjoining wings, forming a hexagonal enclosure to the courtyard.
- 2.3. The area is largely residential in nature, characterised by large, attractive dwellings with an abundance of open land surroundings.
- 2.4. The Hamble River lies approximately 250m to the East, with a railway line about 100m South.
- 2.5. Whilst Lattice Cottage is a Grade II Listed Building, Barn Court is not, and is not currently featured on the local authority’s local list of heritage assets. It does, however lie within the Zone 7 Character Area of the Old Bursledon Conservation Area, the appraisal of which references Barn Cottage as locally significant.
- 2.6. According to the governments flood map for planning, the property lies within Flood Zone 1, meaning it has the lowest probability of flooding from rivers or seas.



3. HERITAGE & CONSERVATION

- 3.1. The Old Bursledon Conservation Area is divided into 8 zones, with Zone 7, where the application site is located, forming part of the historic core of Old Bursledon. The character appraisal of the zone states:
- The space between buildings is particularly important in ensuring visual separation
 - The zone does not feel urban
 - The mix of historic buildings and boundary walls draw the eye
 - The green setting enhances the built form
 - A number of buildings were restored and improved by Mrs Emmaline Shawe Storey, which include the elaborate chimneys on the roof of Barn Court
- 3.2. In April of 2020, the Council confirmed an Article 4 direction restricting the construction of outbuildings as specified by the conditions of Schedule 2, Part 1, Class E of the Town and Country (General Permitted Development) (England) Order 2015 (as amended).
- 3.3. Within a 200m radius of the application site (outlined in yellow in image to the right), there are a number of other heritage assets, namely Grade II Listed Buildings (indicated by  icon), which are detailed in the table below:



LIST ENTRY NAME	ENTRY NUMBER
K6 TELEPHONE KIOSK, HIGH STREET	1111936
BOUNDARY WALL TO GREYLADYES	1111973
CHAPEL OF OUR LADY OF THE ROSARY	1281509
GREYLADYES	1322674
LATTICE COTTAGE	1111968
ROSEWOOD	1111966
YEW TREE COTTAGE	1203657
WOODBINE COTTAGE	1203667
DALE COTTAGE	1111967

4. PLANNING HISTORY

- 4.1. According to the LPAs public register of planning applications, the following consents exist for the site:
- **H/24/98637** - Conversion of existing detached garden store to an annexe ancillary to the host dwelling – Appeal for Non-determination – Dismissed 8th October 2025
 - **H/25/99292** - Construction of outbuildings in the rear garden (Retrospective Application) – Permitted 18th September 2025
 - **H/22/93123** - Construction of a garden store to provide additional storage – Permitted 2nd September 2022
 - **NC/21/91960** - 1 no. Horse Chestnut (T1) - Fell to ground level, replace with selected species close by. – No Objection – 5th January 2022
 - **NC/20/88955** - Notification of Intent. 1 no. Sycamore (T7) – Fell – No objection 20th November 2020
 - **C/39089/002/00** – Construction of single storey front extension, first floor side extension, and 2no. galleried windows to rear – Permitted 5th January 2004

5. PREVIOUS APPLICATION

- 5.1. As referred to previously, the application was first submitted to the LPA in 2024, and following a number of delays and an obviously negative view from the Local Area Committee, it was decided that the application should be passed to the Planning Inspectorate (PINS) for determination. Although the appeal had been submitted, the application was still taken, for a second time, to the Local Area Committee, in order to inform PINS of what their decision may have been. Despite the officer's recommendation, the applicant's deputation, and additional information provided, the Committee maintained their view, that the proposal was "tantamount" to residential development, and would have refused the application based on such speculation, coupled with the objections of nearby residents.
- 5.2. Although the appeal was eventually dismissed, it was not dismissed based on agreement with the Committee resolution. In their decision report, PINS noted:
 - As the proposal is a change of use of an outbuilding previously approved, the proposal is therefore an extension of the main dwellings residential use by conversion.
 - The main dwelling is significant in size, such that the extension of the residential use because of the development would not increase its' volume by more than 25%, it would be significantly below this percentage.
 - ...the development would maintain the space between and openness of the area, does not create a dwelling disproportionately larger, and is subservient and in proportion to the existing building in form, scale and design.
 - I find that the change to residential use ancillary to the main dwelling, whilst it may result in some extended hours of lighting by occupants, does not constitute cumulative urbanisation.
 - Whilst the annexe would have independent bathing facilities, the kitchen would not have all required facilities to support fully independent occupation, its occupant would therefore be reliant on using further facilities within the main dwelling. The annexe would be in a part of the main dwelling's rear garden, with which it would share the use. The annexe's means of access to the highway and parking provision would be provided by the main dwelling, through which any future occupant would need to pass to access between the annexe and its parking.
 - There is an existing hard surfaced pathway between the annexe and the main dwelling, which provides all-weather access, such that its occupant would have adequate and sufficiently close access to the main dwelling.
 - ...notwithstanding the extent of self-contained accommodation, the provision of primary living accommodation within an annexe is part and parcel of the existing dwelling. For the above reasons, I conclude that the annexe would be a part and parcel of the main dwelling, as a matter of fact and degree. Accordingly, in land use principle, the development would constitute an appropriate form of development in the countryside.
 - ...the appeal development would not cause harm to the character or appearance of the CA, nor would it affect the way in which the CA, as a designated heritage asset, would be experienced.
 - I conclude the development would preserve the setting of the nearby Grade II listed building 'Lattice Cottage' and would preserve or enhance the character or appearance of the Old Bursledon Conservation Area.
 - As I have found that the appeal proposal would be part and parcel of the existing dwelling, and would not form a separate residential planning unit, mitigation is not required for recreational effect on the nearby protected Habitat Sites.
 - As I have found that the proposal would not be a separate residential planning unit but would be part and parcel of the existing dwelling, there would be no net gain in the number of dwellings and therefore, the proposal would not be subject to the NFIMS requirements.
 - **I cannot conclude that the development would not have an adverse effect on the integrity of the nearby protected Habitat Sites. This is because there is no mechanism in place by which the**

required mitigation can be secured and controlled, in particular (e.g. Section 106 agreement) in respect of a financial contribution in accordance with the EBC Nitrates Credits Charging Policy.

- 5.3. The last bullet point in the above summary resulted in the dismissal of the appeal. Had the Local Committee considered the applications planning merits, in accordance with the officer's recommendation, it is likely that the issue would never have been discussed. It was only because of a particular answer in the LPAs appeal questionnaire, that PINS raised it as an important matter at a very late stage of the appeal. The LPA then supported the issue by providing further documentation to PINS, but there was no mechanism proposed to alleviate this matter. In a discussion between the agent and the planning officer, it was agreed that there was no precedent for nitrate mitigation relating to householder development, and that its applicability would be likely based on the Inspectors findings – if such mitigation applied, then it would be considered as residential development, and the appeal must fail.
 - 5.3.1. However, this was not the case – the development was not considered to be residential development, but no form of mitigation was proposed.
- 5.4. The annex would be ancillary to the host building. This is not disputed by PINS. The applicant could, if they so choose, install additional toilets and bathing facilities within the host building. This would not be a matter for the LPA and would not incur developer contributions. PINS state that no evidence of the method of waste water disposal was provided, but also, they did not ask for such detail, which would not normally be a provision for a minor householder application. No new drainage system has been created for the outbuilding. The existing large dwelling is already connected to a drainage and sewer system, and the limited facilities within the annex are connected to the existing system. As is common with older buildings, the drainage networks extend beyond the walls of the property, with a previous outdoor WC providing the closest point of connection.
- 5.5. Should the LPA feel that non-related plans of drainage connection would be required, they are welcome to ask.
- 5.6. Following the dismissal, conversation was commenced with the LPA to determine how to overcome this reason for refusal. Due to the lack of precedent, the planning officer was not able to provide a solution, instead advising:

“It is up to you whether you believe that you can demonstrate that either mitigation isn't required or that any mitigation that you do intend to provide will be sufficient to meet the mitigation requirements set out by Natural England.”
- 5.7. Following this unclear advice, the agent opted to contact Natural England directly, to seek advice on what exactly their mitigation requirements would be. A response was received, and having looked at the application and appeal, they advised that they would not be seeking any form of mitigation for this kind of development.
 - 5.7.1. A copy of this correspondence has been provided with the application, along with Nutrient Budget Calculators.
 - 5.7.2. Natural England's guidance on these calculators is that the occupancy level of the dwelling should always be 2.4 persons, unless there is evidence to the contrary. Given that the current occupancy of the dwelling is of 1 person, and the proposed would be for 2, it is considered that the proposal achieves nutrient neutrality already. The applicant's personal history, whilst not a planning matter, is also considered in this situation, with the level of occupancy unfortunately reduced over recent years.
 - 5.7.3. For the purpose of this argument, two Nitrate Budget Calculators are provided – one based on Average Occupancy, as is standard, and one based on Actual Proposed Occupancy. Obviously, the mitigation is a negative sum and therefore not considered applicable.
- 5.8. It is requested that the LPA, in their role, submit an appropriate assessment to the statutory body, and any agreed form of mitigation will be complied with at the earliest opportunity.

6. PROPOSED DEVELOPMENT

- 6.1. The approved scheme comprises a single storey outbuilding, situated towards the south-eastern corner of the plot. The outbuilding was to be used as a garden store, incidental to the residential nature of the property.
- 6.2. Due to personal circumstances, which are now known to the LPA and their committee, the applicant no longer requires the additional storage that the building was proposed for. The purpose now, is that the building will be used as ancillary to the main purpose of the property, and form a residential annex. The intended occupier of this annex has been discussed in detail, and the speculative nature of individuals should not be a reason to override planning considerations.
- 6.3. The building is constructed of timber frame, with oak cladding, slate roof, and hardwood windows, with double doors on the north elevation. It is supported by piled foundations, resulting in minimal impact on the surrounding plants and wildlife.
 - 6.3.1. The LPAs internal consultees have not raised an objection to the development, importantly with regard to the trees and impact on heritage assets. The surrounding trees can be seen to be healthy and retained, demonstrating that the method of construction was appropriate.
- 6.4. Internally, the building features limited kitchen and sanitary facilities with living space, solely for use as an additional residential space for a family member.

7. CONCLUSION

- 7.1. Although considered to be retrospective, the outbuilding, as a structure, has been approved previously and implemented in accordance with the approved plans. This is not under dispute. No occupation of the outbuilding has occurred, with all works ceasing once established that the relevant planning permission should be sought first. Therefore, as the internal additions do not constitute development, this application seeks approval of the use of land and is not as such, retrospective.
- 7.2. After much negative debate and speculation at a local level, the previous application was taken to the highest authority available, and their findings confirmed that the LPA had made the correct recommendation, with the Local Area Committee ultimately opting for the wrong conclusion.
- 7.3. The sole reason for dismissal is not one with an obvious route to overcome. The LPA are therefore invited to consult as necessary, and offer their contradiction to the argument contained within this statement. Ultimately, if the LPA can justify a scheme of mitigation appropriate to this form of development, then the applicant will be happy to comply. But this should also set the precedent that is not currently in place, with regard to similar proposals within the relevant area, that involve the increase in bathroom facilities within an existing dwelling.
- 7.4. It is hoped that, following consideration of the Inspectors report, this resubmission is considered in a fair and timely manner, and that the proposal can finally be considered acceptable.
- 7.5. The LPA, and/or committee members, are invited to contact the agent without hesitation should they require any further information.